

AMENDED IN SENATE APRIL 17, 2006

AMENDED IN SENATE MARCH 30, 2006

SENATE BILL

No. 1194

Introduced by Senator Morrow

(Coauthors: Assembly Members Harman, Haynes, and Mountjoy)

January 23, 2006

An act to add Section 19816.13 to the Government Code, and to add Section 2811 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1194, as amended, Morrow. Employment: hiring practices: immigration status.

The federal Basic Pilot Program, administered by the United States Department of Homeland Security, allows public and private employers to access government databases to verify that the employees they hire are authorized to work in the United States.

The Department of Personnel Administration is required to administer the nonmerit aspects of the state's personnel system.

This bill would require the Department of Personnel Administration to verify the legal status or authorization to work in the United States of every employee of the state and agencies that contract with the state prior to the hiring of that employee in accordance with the Basic Pilot Program, as specified.

This bill would also require an employer to verify the legal status or authorization to work in the United States of every employee of that employer and other employers that contract with that employer prior to the hiring of that employee in accordance with the Basic Pilot Program, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19816.13 is added to the Government
2 Code, to read:
3 19816.13. (a) The department shall verify the legal status or
4 authorization to work in the United States of every employee of
5 the state and agencies that contract with the state prior to the
6 hiring of that employee in accordance with the Basic Pilot
7 Program.
8 (b) As used in this section, “Basic Pilot Program” means the
9 electronic verification of work authorization program of the
10 federal Illegal Immigration Reform and Immigrant
11 Responsibility Act of 1996 (8 U.S.C. Sec. 1101 et seq.)~~that~~,
12 *which* is operated by the United States Department of Homeland
13 Security.
14 SEC. 2. Section 2811 is added to the Labor Code, to read:
15 2811. (a) An employer shall verify the legal status or
16 authorization to work in the United States of every employee of
17 that employer and other employers that contract with that
18 employer prior to the hiring of that employee in accordance with
19 the Basic Pilot Program.
20 (b) For purposes of this section, “Basic Pilot Program” means
21 the electronic verification of work authorization program of the
22 federal Illegal Immigration Reform and Immigrant
23 Responsibility Act of 1996 (8 U.S.C. Sec. 1101 et seq.)~~that~~,
24 *which* is operated by the United States Department of Homeland
25 Security.